

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:20cr23-MHT
)	(WO)
TIMOTHY JEROME RUSSELL)	

OPINION AND ORDER

Defendant Timothy Jerome Russell moved to suppress evidence from a traffic stop, subsequent questioning, and a search of his vehicle. This case is before the court on the recommendation of the United States Magistrate Judge that Russell's motion to suppress be granted in part and denied in part. More specifically, the United States Magistrate Judge recommends that the motion to suppress be granted in regard to the statements Russell made while in custody in the patrol vehicle and denied in regard to the physical evidence obtained from Russell's vehicle and his statements outside of his vehicle. Also before the court are Russell's objections to the recommendation. The government did not object.

Upon an independent and de novo review of the record, the court concludes that the recommendation of the United States Magistrate Judge is due to be adopted. While the court agrees with Russell that there are factual errors in the Report and Recommendation, these errors do not affect the outcome.

Accordingly, it is ORDERED as follows:

(1) The objections (doc. no. 51) are overruled.

(2) The recommendation of the United States Magistrate Judge (doc. no. 44) is adopted.

(3) The motion to suppress (doc. no. 25) is granted in regard to defendant Russell's statements made while in custody in the patrol vehicle and denied in regard to the physical evidence obtained from defendant Russell's vehicle and his statements made outside of his vehicle.

DONE, this the 14th day of August, 2020.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE